VII.—DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1935-36.

(1) GRANT VI—IRRIGATION (EXCLUDING CAUVERY-METTUR PROJECT)—RESERVED.

* The Hon. Mr. C. A. SOUTER:—" Sir, on the recommendation of His Excellency the Governor, I beg to move—

> '*that the Government be granted a further sum not exceeding Rs.* 200 *under Grant VI—Irrigation (Excluding Cauvery-Mettur Project)—Reserved.*'

" Sir, the reason for this grant has been given in the note [a] explaining the Demands for Supplementary Grants, and I do not think I need take up the time of the House by commenting further thereon. The explanatory notes are full and clear, and I trust that the House will agree to this grant."

Mr. P. V. KRISHNAYYA CHOUDARI:—" I move, Sir—

> '*that the allotment of Rs.* 200 *under Grant VI—Irrigation (excluding Cauvery-Mettur Project)—Reserved—be reduced by Re.* 1.'

" Sir, the Government say that they will collect the inclusion fee at Rs. 12-8-0 for lands that are already cultivated as wet lands and at Rs. 25 for new lands. But without this inclusion fee, the Government are already in a position to realize a fairly good interest, i.e., about 15 per cent on the capital spent. In that case, why should they collect this inclusion fee as an additional tax from the ryots? In their anxiety to get their lands cultivated as wet lands, no doubt the ryots may be prepared to pay this fee; but how far it is reasonable to collect this inclusion fee is the question which Government ought to consider in these hard days. The ryots are not in a position even to pay the legitimate land revenue to the Government, so much so that the Government have been granting, annually, remission for the last four years for which we have to be grateful to them. When, on the one side Government are granting remission for wet lands, it is unreasonable, on the other side, for them to compel these ryots to pay the inclusion fee. I request the Government not to collect this inclusion fee at all. That is the reason why I gave notice of this motion.

" Another point is this: already the Government are getting a high percentage of interest on their total investment. I do not know what percentage of interest the Government are anxious to get on the investments on these irrigation projects. Is not 15 per cent sufficient? The Government are getting a lot of funds from the Government of India for 4 per cent interest. Why should they make this a commercial proposition, I want to know, instead of being helpful to the ryots who are already heavily indebted? I appeal to the Government not to collect this fee. No doubt the ryots may be coming forward, but they do so only under compulsion, not willingly. I request the Government to collect only the land revenue, and not this inclusion fee. With these words, Sir, I move my motion."

---

a Printed as Appendix IX on pages 116-120 infra.

29th October 1935]

* Sriman M. G. PATNAIK Mahasayo:—"Sir, after studying the provisions of one or two Acts, I find that the levy of the inclusion fee is entirely unjustifiable. If Government spend heavily on irrigation works, they can only levy irrigation-cess under the Irrigation Cess Act. That is a special Act enacted for that purpose, and that enables the Government to get a fit return for the expenditure they have already incurred or are going to incur on these works. There is absolutely no reason why Government should, in addition to the irrigation-cess, charge what is known as the inclusion fee. The duty of the Government is to supply water to all lands as far as possible. That is one of the duties of any Government. That dut was formerly incumbent upon the Government of India, but now this Government is charged with that duty, and the Government hold in trust all the sources of irrigation for the benefit of the people of the province. In such a case, if Government find that there is more water available than is necessary for the ayacut, they give only the surplus water to lands outside that ayacut; in other words, they include other lands also in the ayacut either temporarily or permanently. If my information is correct, they are not giving water in such cases for the full season, although I understand they charge full rates. I think that is unjust. The only return that the Government can expect in these cases is the water-cess. The Government cannot impose this fee for mere inclusion of certain lands. On the other hand, if these new lands are not included, two consequences will follow: one is that the Government will be failing in their duty to supply water, and secondly that they will be failing to take steps to increase the revenue by charging water-cess in the case of irrigation of additional lands. It is therefore a question of the Government doing only their legitimate duty. For charging this fee, the Government cannot rely on the prerogative of the Crown under which the Crown is entitled to a share of the profits of land. Therefore, I say it is perfectly illegal for the Government to charge this inclusion fee. By doing so, they are simply trying to exploit the needs of the people to irrigate lands which are not in the old ayacut. That is unjust, and I hope that hereafter at least, they won't collect such fees."

* Mr. P. PEDDI RAJU:—"Mr. President, Sir, although this question relates to the district which I represent, I am glad the motion has been made by my Friend, Mr. Krishnayya Choudari, who comes from another delta district. It may look somewhat strange to some hon. Members of the Council that Mr. Patnaik coming from Ganjam has upheld the cause of the ryots of the West Godavari delta. I may say that Mr. Patnaik presided over a ryots' conference yesterday, where this question cropped up and he has therefore known the real grievances of the people. That is why he has come here to-day as an advocate of the cause of the ryots and has explained the legal difficulties in the matter.

The first point to be taken into consideration is whether the grant should be made or not. There is no doubt that everybody is anxious that the work should be taken up. But in the explanatory memorandum it is stated that the Government will collect a premium

for every acre of land included in the wet ayacut after the work is over. The question therefore is whether the premium should be collected or not. My first objection is this: if Government have invested any capital on the work and they want to take interest thereon, certainly that is legitimate, but if they want to realize the capital itself, by collecting a premium, I do not see any justification for the imposition of a heavy water-cess of Rs. 6–4–0. Further the Hon. the Revenue Member has gone to this locality at least on two occasions as Member of the Board of Revenue and seen the lands personally. They are regular swamps. Nothing was raised there previously except on small plots of one or two acres. Most of the land was unoccupied. The Government now want to sell unoccupied land and also to charge a premium on lands cultivated already. These tracts are mostly inhabited by very poor classes, labourers and depressed classes. Several hon. Members know that the question of nazarana was discussed here some time ago, and that the Council also passed a resolution to the effect that such a levy was illegal. In spite of it, the Government levied the nazarana fees for the whole delta, while at the same time they made a promise that all the money collected in the delta would be utilized for the improvement of the delta itself. I have been complaining every year that not a pie has been so far spent out of that money either for the remodelling of channels or for the improvement of drains in these areas.

12-30 p.m. "Now, Sir, what is the use of collecting this money? If it is going to be utilized for any improvement for the benefit of the ryots, I would have no objection. The first point for us to consider is, as I have already stated that the whole tract is a swamp and the people inhabiting that tract belong to the depressed classes. They have no capital of their own and they cannot pay these fees. That was the difficulty they felt in the matter of the payment of the nazarana fees.

"One other point that I wish to refer to in this connexion is, as I have already submitted, that, if the money is utilized for the benefit of the cultivator, there is some consolation. But what they propose to do is, as will be seen from the explanatory note, that the expenditure will be set off against the collection. That is not what the people want. The Hon. the Revenue Member has seen the locality for himself and he also knows the drainage difficulties in that tract. In the estimate that has been prepared, there is no provision for improving the drains. The tract in that locality is not cultivated because it is a swamp. If you construct some more drainage channels the drainage difficulty in that part of the district will be solved to a certain extent.

"Another point I wish to press on the Hon. the Revenue Member in connexion with the deltaic tracts is, there are no communications. What is the use of excavating some new channel without providing for communications? You are not going to construct even a single culvert or a road. Have you not done the same thing in regard to the Cauvery-Mettur Project? I ask the Hon. the Revenue Member in all earnestness whether the Government ought not to make some sort of convenience in the shape of communications and culverts by

29th October 1935] [Mr. P. Peddi Raju]

providing for these in the estimates. I can understand that if the Government have done this little bit, there may be some justification for collecting such inclusion fees or nazarana. But, so far as water-cess is concerned, I do not see any justification for its collection.

"There is also another matter which I wish to bring to the notice of the Hon. the Revenue Member. He knows that in these swampy tracts, like Kolleru, the water-cess is not Rs. 6-4-0, but the total assessment is Rs. 4 or so. In this case, this tract is much worse than Kolleru and when such is the case why should they collect Rs. 6-4-0 in addition to the assessment of 12 annas which is already collected? The question now for the consideration of the Government is whether the assessment and water-cess should not be regulated according to the capacity of the land and the capacity of the owner to pay and whether Government should not consider the condition of the people who live in that tract. After all, I am certain that Government are not going to pay any heed to the advice tendered by hon. Members on this side of the House so far as the condition of the ryots is concerned. Anyhow, I appeal to the Hon. the Revenue Member as one having a personal knowledge of this tract, having visited the place and as one who knows that the people living there are very poor and mostly belong to the depressed classes—Pallis and Adi-Andhras—to see that the rates are reduced, and in the estimates a provision is made for the construction of culverts and communications, and that instead of levying a separate water-cess, there should be a consolidated assessment as in the case of the low-lying tracts in the Kolleru where the water-rate is only Rs. 4 or Rs. 4-4-0. Of course, I know in the ordinary routine of things he cannot take special notice.

"I therefore appeal to the Hon. the Revenue Member to see that something is done to relieve the ryots from this levy. That is why I am opposing the grant. If I can get an assurance from the Hon. the Revenue Member, we shall be glad to allow the grant."

* Mr. G. SRIRAMULU:—"Mr. President, Sir, in supporting the motion of my hon. Friend Mr. Choudari to reduce the allotment in order to point out the undesirability of fixing the inclusion fees at Rs. 12-8-0 or Rs. 25 when the scheme is expected to be so remunerative as to yield a net revenue of Rs. 16,701, I would like to place before this House certain facts for the consideration of this House. I know where Losarigutlapadu village is situated. It is situated in the south of the Bhimavaram taluk. For a major portion of the rainy season in the year, this village is no more than an island. It is stated that this demand is moved for excavating a channel to the Losarigutlapadu village in the Godavari Western Delta. I do not know whether the Hon. the Revenue Member, who was for some time the Collector of old Kistna, which included the present West Godavari district, knows that this village is more or less an island for a major portion of the year. Through the town of Bhimavaram there runs a big drainage channel called Yenamadurru drain which has been in high floods for

[Mr. G. Sriramulu] [29th October 1935

the last four years. Even very recently, about thirty days ago, the town was almost on the point of being inundated and all the local revenue officers including the peons were watching the canal bunds at the cost of their executive work. I think if you call for a report from the local executive officers the matter will be clear. Last year and the year before last, all the huts of the poor people on the eastern side of the drainage canal at Bhimavaram were submerged or washed away and for about a month the people were without huts and during the down-pour of rain the verandas of the offices of the Deputy Collector, the Sub-Magistrate and the Tahsildar had to be utilized by these poor people as their temporary abodes. They had to be maintained for some time from the contingent allotment. I believe that last year the local authorities might have addressed the Government that the bunds of the canal should be repaired immediately, but unfortunately for the people of the Bhimavaram taluk, no steps were taken towards the repair of the banks of the drainage canal, and as a result, the whole town was more or less on the point of being inundated this year and the people lower down were prepared for the worst when the current was at its height. Sir, this drainage canal runs right through the town of Bhimavaram. Now, they (the Government) want to excavate a channel to the Losarigutlapadu village. I may say in this connexion that if the authorities excavate a canal with the funds which we may sanction, that canal also will be submerged for a major portion of the year. Sir, this Yenamadurru drain washed off so many huts this year and also a large acreage with standing crop in the villages of Yenamadurru, Dirsumarru, Taderu, Komarada, etc. I would also like to draw the attention of the Hon. the Revenue Member to the fact that this year thousands of acres of paddy fields have been washed away by this drain and the ryots of the said villages are likely to become paupers in short. It is all due to the negligence of the Government because they did not take steps early to improve the banks of the drainage canal and thus improve the condition of the ryots of the locality. When such is the condition of the ryots, what will be the state of affairs of the people of this tract if such a levy of inclusion fees is made from the residents of Losarigutlapadu, Vemuladevi and other villages? Before the canal leading to Losarigutlapadu is excavated, I think it is absolutely necessary to put up a strong embankment to the Yenamadurru drain. I therefore appeal to the Hon. the Revenue Member to see that before any allotment is sanctioned, what is necessary for the ryots of the locality is immediately done. To that extent, I support the motion of my hon. Friend Mr. Krishnayya Choudari."

* The Hon. Mr. C. A. SOUTER :—" Sir, I think it is perhaps better to clear the situation a little. It seems to me that hon. Members who have supported this cut motion have rather mixed up two things. One is the proposal as regards Losarigutlapadu and Vemuladevi for which I have moved this demand, and the other is the general question of culverts, drainage and so on. I think it better that we keep these two subjects apart. So far as the question of culverts, drainage and so on go, I may assure hon. Members that we shall do all we can to

29th October 1935] [Mr. C. A. Souter]

improve matters there. For instance, as regards the Yenamadurru drain, I should hesitate to say how many lakhs we have already spent on it, and we are still endeavouring to bring it into some sort of order, and I assure the House we shall continue our endeavours in that direction.

"But, as regards the specific reason for the proposed cut in this motion, that is to say, the inclusion fees, I think hon. Members who have spoken on that have omitted to notice that part of the scheme is the acquisition of already existing works which two separate companies, one in each area, have already constructed. We propose to acquire those works from them and bring them into our general scheme. Hon. Members will notice on pages 3 and 4 of the note, that the acquisition of those works will cost in one case about Rs. 17,500 and in the other case very nearly Rs. 19,000; and most of the inclusion fees which it is proposed to be levied will be spent on these acquisition proceedings. That is one reason particularly in this case, why there is considerable justification for collecting these inclusion fees. Another reason is, Sir, that practically in the whole of this delta, except on the Godavari Eastern Delta where special reasons exist, these fees have been collected and also in the majority of cases have been paid very willingly by the ryots—those who are going to be benefited by any new scheme. I may take for instance the scheme which is going on now—the East Bank Canal. There, except in the case of two villages only, all the rest have willingly agreed to pay the inclusion fees and in this particular case the Collector has been assured that the ryots are willing to pay those fees. It seems to me that we cannot show any invidious distinction in these two cases in which without exaggeration, we do intend to improve very considerably the present situation of the ryots there. If the ryots find that the payment of this sum in one lump sum is inconvenient, Government will always be prepared to consider the collection, as we have done in some other cases of these inclusion fees, in instalments so as not to embarrass the ryots too much. As I say, our case rests on these two things—not only on the general principle that the inclusion fees are in most cases willingly paid by the ryots and have been paid in practically every case, but that we are actually acquiring existing works. If this cannot be met from inclusion fees, it will have to go into general estimates and thereby reduce our returns.

"May I also point out to hon. Members that if this cut motion is carried—it is only a token motion—the balance of the money will have to be found by reappropriation. If this cut motion is carried, the total sum we shall be entitled to spend on all these works will be Rs. 199. For these reasons, Sir, I must oppose this motion."

* The Hon. the PRESIDENT:—"Is the hon. Member pressing his motion?"

Mr. P. V. KRISHNAYYA CHOUDARI:—"I want to say something by way of reply . . ."

* The Hon. the PRESIDENT:—"I do not think on a cut motion like this the hon. Member has got a right of reply."

[29th October 1935

Mr. P. V. KRISHNAYYA CHOUDARI :—" Because it is a very important question, Sir, I feel it is necessary for me in this case to say something.

12-45 p.m. " I just want to bring to the notice of the Hon. the Revenue Member that there are lands which cost only Rs. 50 or Rs. 75. I am prepared to produce the registered documents and other irrefutable proof in support of my statement. I feel that this is a grievance which ought to be redressed. But I do not want to press the cut motion and stand in the way of the present scheme. I beg leave to withdraw the motion."

The motion was by leave withdrawn.

* Mr. K. A. NACHIYAPPA GOUNDER :—" Mr. President, Sir, I beg to move—

> '*to reduce the token demand of Rs. 200 under Grant VI—Irrigation (excluding Cauvery-Mettur Project)—Reserved by Re. 1—*
>
> (*i*) *to discuss the policy of Government in undertaking such schemes and the scope for easy expansion of them;*
>
> (*ii*) *to elicit information about the total ultimate cost of each of the schemes including works, the water-rate to be charged in the area, the varying periods of the staff to be employed and such other information; and*
>
> (*iii*) *to point out the necessity of obtaining the written consent of the companies and others even before the grant is moved.*'

" The object of the cut motion is to elicit information which has not already been furnished in the explanatory note. It is said that Losarigutlapadu village has an area of 13,600 acres and it is proposed to provide irrigation facilities only in respect of 3,678 acres. With regard to the Vemuladevi area, out of 6,570 areas only 3,199 acres are to be brought under irrigation. I think that, all these being situated in the deltaic area on level ground almost, it should be possible to bring a much larger percentage of area under irrigation, and I would like to know if the Government have considered the possibility of expanding these schemes so as to give full benefit to the ryots of the area and thus earn an income. Even in respect of this limited area, the Government expect a return of 10·4 per cent in the one case and 8·9 per cent in the other. Since they are so highly remunerative, I wish to know if the Government cannot push up the schemes further so that a larger area may be brought under cultivation and the Government may get a more substantial income.

" Further, Sir, I am not able to know what water-rate the Government propose to collect in that area. I desire to ask the Government, as has been suggested by the hon. Member representing the West Godavari district whether it will not be possible to reduce the rates, seeing that the Government are able to get a considerably high percentage of income from these schemes.

29th October 1935] [Mr. K. A. Nachiyappa Gounder]

" Sir, with regard to the other expenditure on the scheme excluding the cost on establishments, I am not in a position to know it. I would like to know what the total amount that is to be incurred on this project is, including the works that are to be completed under the two schemes.

" With regard to the staff, I am not able to understand clearly why there are varying periods for the Public Works Department staff. They say that the Assistant Engineer is required for three years; but they want a staff of eight overseers for a period of seven months only and I do not also see why a staff of overseers is not provided for the Assistant Engineer after that period.

" The last point that I wish to raise is that the consent of the company ought to have been obtained before the Government came up to the House with these proposals asking for a grant. I would prefer the conditions being clearly set out and their consent obtained even before we were asked to accord sanction for the funds. If, ultimately it so happens that the conditions that are prescribed are not acceptable either to the company or to the individuals concerned, it may lead to a critical position that the scheme will have to be worked out at considerable difficulty and thrust as a bitter pill. I think that in order to avoid such a contingency it would have been better if their prior consent had been obtained earlier, before the project assumes a final shape and is sanctioned. It is with a view to making these few observations and for eliciting information on the points that I have raised, I move the cut motion."

* The Hon. Mr. C. A. Souter:—" Mr. President, I am a little doubtful what the intention of my hon. Friend is in moving the cut motion. The note seems to be pretty explicit and he could have seen that the cost of excavating a channel, works including special revenue staff, is Rs. 1,02,431. If you take off the cost of the special revenue staff from that you can get the net cost of the works. Again, the total cost of the works on the channel to Vemuladevi village is Rs. 1,18,630. This is given in the explanatory note itself.

" The water-rate to be charged is, I think, the usual rate charged in the deltas, namely, Rs. 6-4-0 an acre. That I think the hon. Member will agree compares very favourably with the water-rates charged in Salem and Tanjore and any reduction there would, I think, be properly resented in Tanjore or Salem. The rate in the Godavari and Kistna deltas is usually Rs. 6-4-0 an acre and that, Government consider, is not an excessive charge.

" The hon. Member asked why the staff is appointed for various periods. On page 3 of the note, he will see that the preparation of detailed estimates and the execution of the work necessitate the formation of a special work division. Necessarily some part of the staff would be employed for shorter periods than the others. I do not think there is anything very mysterious about this. The staff has been proposed in consideration of the length of time that each particular part of the staff would be required on the work.

[Mr. C. A. Souter] [29th October 1935

" I may say that those ryots who are concerned in this area have been consulted in this matter and are perfectly aware of the conditions which will be imposed and in order to make the position of the Government safe, we propose as stated in pages 3 and 4 of the note to get the consent of the companies who are mainly concerned with these areas, before we actually start the work.

" Honestly, Sir, it is difficult for me to see what the reason for the cut motion really is. The necessary information has been given in the explanatory note and I am afraid I must oppose the motion."

The cut motion was by leave withdrawn.

The demand was put and carried and the grant was made.

[a] (2) GRANT XI—MINISTERS, CIVIL SECRETARIATS AND MISCELLANEOUS—TRANSFERRED.

* The Hon. Sir the RAJA OF BOBBILI:—" Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move—

> '*that the Government be granted a further sum not exceeding Rs.* 13,300 *under Grant XI—Ministers, Civil Secretariats and Miscellaneous—Transferred.*'

" This amount is required for meeting election expenses in panchayats. The usual practice is that the expenditure is, in the first instance, incurred by the Government and then recoverd from the panchayat boards concerned. In past years, the amounts recovered from these panchayats were being adjusted in abatement of the charges actually incurred and only the balance was being shown. The Accountant-General has brought it to the notice of the Government that such a procedure is objectionable according to the audit rules and suggested that the recoveries should be credited as receipts under the proper head. The Government accepted the suggestion. But by the time this order was issued, the current budget has already been framed and it was not possible to make the necessary changes then and there. It is merely a question of adjustment of accounts which has made it necessary to come up before this House for the sanction of this grant."

* The Hon. the PRESIDENT:—" Notice of three cut motions in respect of this demand has been received. One deals with the general policy of conducting elections in non-panchayat areas, the second with the furnishing of electoral rolls at reduced cost and the third deals with the representation of depressed classes in non-panchayat areas. I think that, as the grant is mainly intended for making certain adjustments between the Government and the local bodies, the cut motions cannot usefully be discussed on this particular demand."

The demand was put and carried and the grant was made. e.

[a] Explanatory note printed as Appendix X on pages 120–121 infra.